Honolulu Star-Bulletin

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Some people have great knowledge of society and little of mankind.—Disraeli.

WHERE THE TERRITORY MAY SAVE

A reorganization of the territorial immigration service, along the lines indicated in the Star-Bulletin yesterday by members of the board who believe in cutting down expenses, ought to be undertaken at once. There is no use in continuing the present system longer. As this paper has stated, and as members of the board admit, the territory is not getting its money's worth from the service.

Over this unfortunate condition neither the board's members nor its salaried officers have control. The facts are that the bringing of immigrants from Europe is exceedingly costly and that the immigrants leave in almost if not quite as large numbers as they arrive. So long as the planters continue to import Filipinos at the present rate, there is not going to be much demand for the European labor, the Filipinos up to the present time displaying less disposition to shift to the coast and being economically cheaper labor than the Europeans. Charter rates for immigrant ships are high, there is no surety of employment for the labor even when it arrives, and many of the immigrants desert Hawaii for the mainland as soon as they can get transportation to San Francisco. There is a possibility that Hawaii might secure the enactment of a law to prevent this, but the possibility is remote.

It has been no secret for months past that Commissioner of Immigration Clark was in sympathy with a plan for reorganization of the work and a reduction of expenses and as members of the board have recently stated, the reduced funds for immigration and the uncertainty as to the special income tax collections make retrenchment imperative. The Star-Bulletin believes that the present system should be changed as quickly as possible, overhead charges in the department be reduced and operating expenses cut all along the line. Here is a chance to save and the territory should take advantage of it at once.

DENVER'S MUNICIPAL EXPERIMENT

Commission government does not necessarily mean short-ballot government. Take the recent election in the city of Denver, for instance. In that election the people voted for auditor, commissioner of property, commissioner of finance, commissioner of safety, commissioner of improvements, and commissioner of social welfare, together with nine charter amendments and important ordinances. Only six public officials were voted for, but there were 140 names on the ballot, the printing of which occupies an entire page in a recent issue of the Denver Post.

Clearly, with the voters confronted with 140 names from which to choose five, Denver has not yet achieved short-ballot government. Of course it was the first election under the modernized system, and every citizen with political ambitions "took a chance", apparently, at the polls. So large a number might not appear again. At the same time, where there are twenty candidates for one office elected at large, there is little opportunity for the voters to become acquainted with individual merits.

It will be noticed that Denver is not electing merely commissioners, but commissioners for some specific duty. This point was argued at great length during Honolulu's recent agitation for commission government. Denver does not wish to name five undesignated commissioners and allow them to parcel out among themselves the duties of municipal office.

While commission government is not necessarily short-ballot government, in the sense that choice is restricted to a few prominent candidates, it is virtually short-ballot government in the sense that public attention is concentrated on a few prominent offices. That is the force of the system.

"EXPERT TESTIMONY"

The Hon. Dan V. Stephens, from the imperial state of Nebraska, takes up several pages of the Congressional Record merely with an "extension of remarks" on the Underwood tariff bill. What the gentleman's original remarks, unextended, were we know not, but they may be guessed at from the following excerpts from his "extension" relating to the sugar schedule:

> One of the big features of the Underwood bill that has caused much controversy is the question of free sugar after three years with a reduction at once of 25 per cent. It is admitted that sugar can be produced profitably in Cuba at 2 cents a pound, whereas it costs about 4½ cents in Louisiana. Some claim that free trade would not destroy the cane-sugar industry, but it is now generally admitted that it will; that the industry is not legitimate; that it would be as reasonable to try to grow oranges in a hothouse in Maine by giving it a tariff protection as to try to keep alive this Louisiana industry any longer. It is costing the American people all it is worth every year in the extra price of sugar. Mr. Underwood estimates that the American people pay at least $115,000,000 a year extra for their sugar as a result of the tariff of nearly 2 cents a pound levied for the protection of this industry. That sum of money is almost enough to buy the whole Louisiana sugar industry, including the lands on which the cane is grown, and yet we have paid for this outfit once every year for the last ten years, or a total of considerably over a billion dollars in the added price of nearly two cents a pound on the sugar we have consumed. But even if we were so impractical as to keep this tariff on sugar for the protection of this cane-sugar industry, it is now admitted by all that the beet-sugar product would drive it off the market anyway, because the cost of beet-sugar production is much less.
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> The producers of beet sugar claim they need protection, but as a matter of fact every plant in the country is paying a dividend and some of them excessively large dividends on a capital stock that is half or more water. Not only is this true, but the sugar refining trust has a controlling interest in nearly all the beet-sugar plants in the country and now controls the price on domestic sugar. Sugar is sold at wholesale to the groceryman who lives within the shadow of a beet-sugar factory at exactly the import price of sugar plus the cost of freight from the seaboard. The big question is, Can beet sugar compete with foreign sugar? The facts show that it can. The American people have no moral obligation to pay a dividend on at least twice the capital invested in this industry through a protective tariff. This bill may squeeze out some of the water and place the business on a solid foundation, so it will not have to be crying around congress for a government partnership in fleecing the people. An industry located on the semiarid plains from 1,500 to 2,000 miles from the seaboard with a high wall of freight rates protecting it from competition with foreign sugar is much safer from disaster than the farmers who now compete with the foreigner to whom he sells his surplus wheat, corn and cotton. The beet-sugar factories will have plenty to do to supply the sugar in this railroad-protected territory. They do not have to sell sugar in a foreign market as does the farmer, and then it is unfair to compel the farmer who must compete with the foreigner to pay out his profits to the sugar producers who have a market at their doors for all the sugar they can produce. The grain and stock farmer hires real American labor and is entitled to a square deal, whereas this protected, trust-controlled, gambling industry employs Japanese, Chinese, Hindus and rag-tag labor from whatever country it can get it. That is the policy of every protection-fatted industry we have in this country.
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> I would not want to destroy the beet-sugar industry, and I do not believe free sugar will destroy it. It will have three years to adjust itself to this new tariff. Let us see what will happen in these three years.

If Senator Metzger went to Washington to work for L. E. Pinkham, he fooled all of his intimate friends here. Up to the hour his steamer sailed Metzger declared he was for Watson first and himself as second choice.

Inquiring persons who wish to know what benighted ignorance looks like should read some of the Congressional Records containing debates on the free-sugar schedule.

Having nothing to lose and a whole lot to gain, Bulgaria loudly announces her willingness to submit the disposition of Salonika to the Powers.

Some unlucky publisher will yet be sued for saying that Bryan is serving grape-juice to excess.

Possibly the bar association can hurry up President Wilson. No one else seems able to do so.

No, government by commission does not necessarily mean government by omission.

This gubernatorial darkhorse is turning out to be a nightmare.

The European war crisis is crisising again.

CHINESE INJURED BY COUNTRYMAN WITH RICE BOWL

A victim of the anger displayed by a fellow-countryman, a Chinese who gave his name as Gee Kam was discovered by the police this morning suffering from several deep cuts about the scalp and face, the result of a fierce fight in which Lum Kai is charged as the assailant.

A glass rice bowl is alleged to have been the weapon employed by Lum Kai in effecting the injuries to the head and body of Gee Kam. Police investigation developed the fact that considerable ill-feeling existed between the men which finally broke out into open encounter. The injured man was hurried to the Queen's Hospital for medical treatment.

The Chinese assailant has been placed under arrest and his case will come up for trial before Judge Monsarrat.

The man who is handy around the house usually isn't much good anywhere else.

LETTERS ON TIMELY TOPICS

[The Star-Bulletin invites free and frank discussion in this column on all legitimate subjects of current interest. Communications are constantly received to which no signature is attached. This paper will treat as confidential signatures to letters if the writers so desire, but cannot give space to anonymous communications.]

THE HAWAIIAN FLAG.

Editor Honolulu Star-Bulletin.

Sir: The controversy current relative to the origin of the present Hawaiian flag is my excuse for the following historic narration in support of the Adams' claim.

Adams' own log-book while twice referring to his use of the Hawaiian flag in 1816, does not lay claim to its making, yet that fact does not controvert the general belief from the testimony of his descendants and corroborated by various persons and intimate neighbors who had and have knowledge from himself as being the designer of the present flag and making the first use of it in taking command of the brig Kaahumanu on its sandalwood venture of the king's in China. There is some significance in the fact that Adams' claim was never refuted during his lifetime, nor until long after the death of H. L. Sheldon, the veteran editor who was cognizant of its origin, nor any counter claim made public for the distinction of its designing, though persons then living might have done so did facts warrant.

There have been several descriptions by voyagers and writers of the Hawaiian flag, few among them all agreeing in number of its stripes or colors. That there have been numerous changes is thereby evident and the Beckley claim of priority which would date back to 1806 or 1807 might be one of the variety shown by early voyagers prior to the present flag of Adams' design in 1816, changed in the order of stripes by Captain Hunt of the Baselisk in 1843, who is credited also with assisting in the design of the royal standard of Kamehameha III. This important alteration by placing the white stripe at the top instead of at the bottom, as it was, was told the writer by Thomas Cummins, a well known early resident who was fully cognizant of the events of the time and is confirmed by Mrs. E. Monsarrat from the close acquaintance with Captain Hunt in his intimacy in the Dowsett home during his stay in the islands.

Respecting the attempt to discredit the Adams' claim, Mrs. Monsarrat permits the use of her name as one well aware of his right thereto, the Dowsetts and Adams being adjoining neighbors for many years, and therefore resents in behalf of his descendants this injustice. Mr. John Cook is another with intimate knowledge from Adams' own lips of his rightful claim.

THOS. G. THRUM.

CARLSMITH CASE PROVES TO BE BLOOMER

The Hawaiian Bar Association's investigation of the charges preferred against Attorney Carl S. Carlsmith, of Hilo, by Judge Joseph S. Ferry of the same city, which has been in progress since last November, apparently has come to naughrt. The association at its annual meeting yesterday afternoon accepted the report of its special committee on the matter, but did nothing further.

The report goes into the subject quite thoroughly, intimates at one or two points that certain acts of Attorney Carlsmith "seem incredible," but makes no recommendation to the association.

Taking refuge in the fact that Judge Ferry asked only for an investigation on which action seemed to be required; had it recommended action, or shown facts to warrant it, the Association undoubtedly would have so ordered," stated one member today.

Members of the legal profession seemed to avoid any lengthy or detailed discussion of the affair, merely saying the report spoke for itself.

Six charges were made by Judge Ferry against Attorney Carlsmith, all arrising last year from litigation surrounding the probating of the estate of Guido de Souza and the handling of the property for the widow by Carlsmith. Mrs. de Souza made a number of payments to Carlsmith and the dispute arose over these.

At one point in the report the committee says:

"Mr. Carlsmith acted toward this woman as if he were unaware of the law of principal and agent, viz: that it is the principal that is entitled to an account from the agent, not the agent from the principal."

At another point the following comment is made:

"It seems incredible that a practising attorney of any standing, who undertakes financial transactions on behalf of clients, did not keep books of account, did not keep a cash book that he balanced, did not even keep memoranda upon which he could rely to prevent him from mixing an item of $325 of his client's money with his own. But these almost incredible things did happen in this case as Mr. Carlsmith confessed."

The investigating committee, appointed by President F. E. Thompson, of the bar association, consisted of Henry Holmes, C. W. Ashford and Alex. Lindsay, Jr. The association ordered a copy of the report to be sent to Judge Ferry, while another copy was given to Attorney Carlsmith when the latter was in Honolulu early this week.

Technical schools giving courses in architecture will have a special exhibit at the international building exhibition in Leipzig this summer, according to information received at the United States bureau of education.

LEGAL LIGHTS FIND LOOPHOLE FOR MAGUIRE

(Continued from page one)

tion to preside at a criminal hearing."

Attorney Frank E. Thompson goes even further in construing the intent of the Organic Act.

"Since that important clause was omitted, and no provision is made for the circuit judge's further service until a new appointment is made, he is out of office," said he, "and legally has no more right to sit in a case than yo uor I. Th tconsent of the parties at issue gives him no better lega lstanding and makes his position as judge no more firm.

"Why, if that were possible two parties might as well agree upon any third party as jugs, no matter who he is, and let him preside over their case, later appealing to the supreme court for his decision."

Section 80 of the Organic Act plainly provides for the appointment of the circuit judges for a four-year term and for their removal before that time by the president; but it also distinctly omits the clause used in another section relating to the appointment and tenure of the governor and executive officials. In the case of the latter, they are to serve until their successors are appointed and have been duly qualified.

Only once before, since the Organic Act went into effect, has a situation similar to the present one arisen. About three years ago the term of Circuit Judge William J. Robinson of the First circuit, expired and several months passed before he was reappointed. The attorney general of the territory, viewing the Organic Act's omission, refused to authorize the payment of his salary for those months. Judge Robinson sought an interpretation of the Act by taking the matter into court and it was carried to the United States court of claims. That body neatly side-stepped the real point at issue by ruling that "inasmuch as he had been reappointed he was entitled to the salary for the intervening months."

The same omission is noted in section 86 of the Organic Act, relating to the appointment and tenure of the federal court officials, who serve terms of six years. In the present instance this does not affect the district attorney's office, for although R. W. Breckons has sent in his resignation, his term of office does not expire until February 10, next year.

The judges whose commissions have expired, and who, local atorneys declare, are no longer entitled to sit until reappointed, are Associate Justice Antonio Perry, of the supreme court; Judge W. L. Whitney, of the first circuit, Honolulu; Judge J. A. Mathewman, of the third circuit, Kona, Hawaii; Judge C. F. Parsons, of the fourth circuit, at Hilo, and Judge Selden S. Kingsbury, of the second circuit, Maui.

A drop in the price of coal with the usual price of ice maintains the well-known high average for the ice-coal man.